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Information presented by the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan*.

Note by the Secretariat

The Secretariat of the Human Rights Council hereby transmits the communication submitted by the Commissioner for Human Rights of the Republic of Azerbaijan**, reproduced below in accordance with rule 7(b) of the rules of procedures described in the annex to Council resolution 5/1, according to which participation of national human rights institutions is to be based on arrangements and practices agreed upon by the Commission on Human Rights, including resolution 2005/74 of 20 April 2005.

* National human rights institution with "A"-status accreditation from the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.

** Reproduced in the annex as received, in the language of submission only.

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Annex

[English only]

Written statement submitted for the 28th Session of the Human Rights Council by the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan

The role of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan in implementation of the National Policies on Human Rights

As a fast developing country Azerbaijan created good environment for the effective protection and promotion of human rights for each person without any discrimination. During 23 year of the independence the country joined more than 230 conventions and took important steps to bring national legislation in compliance with these international treaties. Many positive changes were realized in terms of institutionalization. Creation of the Independent Ombudsman Institute in the country is a good example for this. The various reforms were conducted through state programmes aimed at developing the country, covering the regions, increasing the welfare of population, alleviation of poverty, encouraging economic activities. Since the independency, three documents of strategic importance were adopted by the Presidential Decrees and fundamental reforms on human rights have been realized: the first State Program on the Protection of Human Rights from 18 June, 1998, the first National Action Plan (NAP) on Human Rights in the Republic of Azerbaijan from 28 December, 2006, and the first National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan from 27 December, 2011. As a result of implementation of these documents the country joined to international treaties, legal framework and human rights and freedoms' protection mechanisms have been improved, numerous normative-legal acts were adopted; regular measures have been taken on protection of human rights of different groups of population, also on improving the activities of governmental agencies and on educational, scientific analytical and enlightenment activities in the area of human rights.

For support to the implementation of the above shown Plan and Program, the Working group has been created. The supervision over its work, coordination, monitoring, evaluation, analysis of implementation and preparing of relevant recommendations was entrusted to the Commissioner as an independent, "A" Status accredited National Human Rights Institution.

Alongside with the governmental bodies, relevant NGOs and mass media were also involved in the work of this Group. Public hearings were held in each of 58 urban and rural districts of the country with participation of the parliamentarians, representatives of local executive powers, municipalities, law enforcement bodies, local offices of police, prosecutor, courts, with active involvement of local communities, civil society organizations and mass media, as well as of the staff of the Regional Offices of the Ombudsman.

The conduction of these hearings encourage people, including women and youth, to express their opinions and proposals freely, without any discriminative approach serve for strengthening the trust and belief that all people have equal rights, providing freedom of speech, expression and assembly, as well as improving the democratic governance implementing the amicable resolving of disputes. At the same time, during the public

hearings the complaints were investigated, the problems were brought to the attention of concerning state agencies and high ranging officers, and in a lot of problems raised by high risk groups – people suffered from long-lasting Armenian aggression namely refugees, Internally Displaced Persons (IDPs), people with disabilities also the victims of violence were immediately solved on the spot.

In whole about 60 state programs, strategies and concepts are in process in order to improve different spheres of the society in the country, especially the welfare of population also human rights protection and promotion.

As a main part of the above mentioned strategic documents the public awareness issues play important role in getting people, relevant state bodies, civil society and mass media acquainted with it. There were organized many trainings for the parliamentarians, law enforcement bodies, for the staff of the police and penitentiary service, communities that increase their knowledge on human rights and create good conditions for the citizen-government mutual trust and cooperation which is useful in achieving amicable solutions. More than 150 legal publications, including books, textbooks, manuals, thematic leaflets and brochures were published, translated and disseminated among different groups of population, as well as presented to the libraries of governmental bodies, universities and other facilities.

Ombudsman regularly organizes trainings and seminars for representatives of the state organizations, mass media and NGOs on abovementioned three strategic documents and also the conclusions of the decades on legal education for all provided by UN, OHCHR and UNESCO, presenting them the international and national legal documents on Human Rights and sharing with them the experience, the new ideas and innovations. As a new initiative, Ombudsman conducts hierarchic education on child rights study at the secondary schools that helps children to learn their rights and, at the same time, to teach the students of the lower classes as trainers. Teaching programs and modules have been prepared in this regard.

The month-long and week-long enlightenment campaigns aimed at the promotion and protection of woman and girl child rights are regularly organized for public awareness all over the country. The Baku International Conferences of the Ombudsmen that are held every year on June 18 – National Day of Human Rights, are also good grounds to share experience, knowledge and opinions. The actual and important issues are raised in these conferences for the discussions with the ombudsmen of different countries, the representatives of relevant state bodies, independent experts NGO as well as mass media. At the end of the conference declaration on the concerning theme is adopted by the participants that make significant contribution to the work of the stakeholders and counterpart.

Commissioner actively participates in UPR (Universal Periodic Review Process) and encourages civil society to participate in it that was evaluated as a best practice by the UN High Commissioner for Human Rights. Commissioner submits parallel reports on conventions regarding different fields of human rights also raises cross-cutting issues for discussion.

By organizing conferences and seminars on Business and Human Rights in the Capital and regions the Commissioner pointed out the issues on creating good environment for woman entrepreneurs. It should be noted that up to date the Commissioner submitted 461 proposals to the government for ensuring protection and promotion of human rights and 60% of them have been realized. In the light of above mentioned the Ombudsman's activities could be summarized as follows:

- Ombudsman helps to improve the legislation by systemizing the results of the findings during the public activities, regularly sending proposals to the parliament.

- Ombudsman ensures the guarantee that the state bodies will perform their mandates adequately and avoid any abuse of the duties.
- By raising the level of the relations between state and citizens the Ombudsman creates mutual trust between them and prevents from the conflicts that is resulted in improving stability, cooperation and sustainable development.
- Being independent, the Ombudsman Institute plays a role of the complementary non-judicial state mechanism for protection and promotion of human rights, building bridge between citizens and government.
- Ombudsman conducts extended legal education among the population that serves to legal and peace culture.
- Ombudsman examines complaints on violations of human rights relating to red tape, loss of or delayed delivery of documents in courts as well as delays in the execution of court judgments.
- Ombudsman Institute is the effective tool for implementation of the international mechanisms. The complimentary reports to the government were sent and were highly appreciated. Establishing such an Institute accelerates the integration process of Azerbaijan into Europe.

I would like to say that the establishment of the Ombudsman Institute in Azerbaijan made significant contribution to the protection and promotion of Human Rights, in forming of the effective public administration that changed the approach to the human rights issues in a better way. And this made many state officers conceive better understanding of human rights conception within the democratization of the public administration and good governance.

We know that the Millennium Development Goals (MDGs) will be concluded in 2015. So this taking this into account the international community has started to work on a new development framework of 'Sustainable Development Goals' (SDGs). In this regards we expect new development goals to be realized beyond 2015, the new mechanisms and tools to reach them.

It should be noted that it was set the task of the comprehensive development concept "Azerbaijan-2020: outlook for the future". This is considered as a main duty for the country to achieve the goals put forward in the name of raising effectiveness of protection of human rights, promoting legal culture and ensuring sustainability of activities to improve the legal framework and the human rights protection system.